

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**KOREY RYCHORCEWICZ, §  
Individually and on behalf of similarly §  
situated individuals, §  
§  
Plaintiff, §  
v. § CIVIL ACTION NO. 4:16-CV-00002  
§  
WELLTEC, INC. §  
§  
Defendant. § JURY TRIAL DEMANDED**

**PLAINTIFFS' RULE 12(b)(6) MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED  
AND RULE 12(f) MOTION TO STRIKE DEFENDANTS' AFFIRMATIVE DEFENSES**

**ORDER GRANTING MOTION TO DISMISS AND MOTION TO STRIKE  
DEFENDANTS' AFFIRMATIVE DEFENSES**

Before the Court is Plaintiff's 12(b)(6) Motion to Dismiss and 12(f) Motion to Strike Defendants' Affirmative Defenses. Having considered the motion and any response thereto, the motion is GRANTED in its entirety.

Defendants' First, Second, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Fifteenth, and Sixteenth Affirmative Defenses are DISMISSED and STRICKEN from the pleadings.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE PRESIDING